

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

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|--------------------|---|--------------------|
| STATE OF MISSOURI, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 4:14CV1888 JCH |
| |) | |
| ALAN HARVEY, |) | |
| |) | |
| Defendant, |) | |

MEMORANDUM AND ORDER

Defendant, a prisoner, has submitted a notice of removal of a state criminal action under 28 U.S.C. § 1443. Defendant has neither paid the filing fee nor submitted a motion to proceed in forma pauperis. As a result, the Court will order defendant to either pay the \$350 filing fee or submit a motion to proceed in forma pauperis within thirty days of the date of this Order. If defendant chooses to file a motion to proceed in forma pauperis, he must also file a certified copy of his prison account statement for the six-month period immediately preceding the filing of his complaint. See 28 U.S.C. § 1915(b).

Furthermore, defendant has not complied with the requirements of 28 U.S.C. § 1455 in that he has not filed “a copy of all process, pleadings, and orders served upon” him in the criminal action.

Finally, mail from the Court to defendant was returned as undeliverable on November 17, 2014. As a result, defendant shall show cause why the action should not be dismissed pursuant to Local Rule 2.06(B), which states that pro se parties must keep the Court informed of any changes in address.

Accordingly,

IT IS HEREBY ORDERED that defendant shall either pay the \$350 filing fee or submit a motion to proceed in forma pauperis within thirty (30) days of the date of this Order.

IT IS FURTHER ORDERED that if defendant submits a motion to proceed in forma pauperis, he must also submit a certified copy of his prison account statement for the six-month period immediately preceding the filing of his complaint.

IT IS FURTHER ORDERED that the Clerk shall mail to defendant a copy of the Court's form motion to proceed in forma pauperis – prisoner cases.

IT IS FURTHER ORDERED that defendant shall file all of the papers required by 28 U.S.C. § 1455 no later than thirty (30) days from the date of this Order.

IT IS FURTHER ORDERED that defendant shall show cause why this action should not be dismissed under Local Rule 2.06(B).

IT IS FURTHER ORDERED that if defendant fails to comply with this Order, the Court will dismiss this action without prejudice.

Dated this 17th day of December, 2014.

/s/ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE